HONORABLE RICHARD A. JONES 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 UNITED STATES OF AMERICA, CASE NO. C13-641RAJ 10 Plaintiff, 11 **ORDER** v. 100% OF MARK EDWARD PHILLIPS' 12 INTEREST IN QUINN'S PUB, 13 Defendant in rem. 14 15 This matter comes before the court on review of the parties' April 28, 2014 joint status report. Dkt. # 17. That report establishes that the Honorable John C. Coughenour 16 has entered a preliminary order of forfeiture in a related criminal proceeding (No. CR10-17 18 269JCC) requiring the United States to obtain a valuation of the defendant property. 19 Judge Coughenour entered that order in late December 2013. Four months later, the 20 United States has not yet obtained the valuation. The United States has not attempted to 21 prove that it has been diligent in obtaining that valuation. 22 No later than July 31, the United States shall file a status report. That status report 23 shall take one of two forms: 24 1) A statement that the court may dismiss this action, with the consent of the claimant. 25 26 27

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2) A statement in which the United States explains, in detail, why this civil action must remain pending in light of the criminal proceedings. In particular, the statement must explain why there is any reason to believe that the criminal proceeding will not afford complete relief to all parties. The statement must also explain in detail why dismissing this action without prejudice would not be an appropriate course of action.

In the event that the United States requests that this civil action remain pending, it must describe its diligence in bringing this matter to a close. In particular, it must provide specific evidence regarding the property valuation at issue, and why it has not yet been completed, along with any other evidence demonstrating the diligence of the United States.

The court will permit the claimant to respond to the report if appropriate.

If the United States does not file its status report by July 31, the court will dismiss this case without prejudice.

The stay that the court imposed in its January 6, 2014 order shall remain in place until further order of the court.

DATED this 6th day of May, 2014.

The Honorable Richard A. Jones United States District Court Judge

Richard A Jones